United Nations S/PV.8092

Security Council

Seventy-second year

Provisional

8092nd meeting

Thursday, 9 November 2017, 10 a.m.

New York

President:	Mr. Cardi	(Italy)
Members:	Bolivia (Plurinational State of)	Mr. Llorentty Soliz
	China	Mr. Wu Haitao
	Egypt	Mr. Aboulatta
	Ethiopia	Mr. Alemu
	France	Mrs. Gueguen
	Japan	Mr. Kawamura
	Kazakhstan	Mr. Umarov
	Russian Federation	Mr. Zagaynov
	Senegal	Mr. Seck
	Sweden	Mr. Skau
	Ukraine	Mr. Yelchenko
	United Kingdom of Great Britain and Northern Ireland	Mr. Hickey
	United States of America	Mrs. Haley
	Uruguay	Mr. Rosselli

Agenda

Election of five members of the International Court of Justice (S/2017/619, S/2017/620, S/2017/620/Add.1 and S/2017/621)

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The meeting was called to order at 10.10 a.m.

Adoption of the agenda

The agenda was adopted.

Election of five members of the International Court of Justice (S/2017/619, S/2017/620, S/2017/620/Add.1 and S/2017/621)

The President: The Security Council will now proceed to the election of five members of the International Court of Justice, in accordance with Article 13 of the Statute of the International Court of Justice, to fill the five seats that will become vacant upon the expiry of the terms of the following Judges on 5 February 2018: Mr. Ronny Abraham (France), Mr. Abdulqawi Ahmed Yusuf (Somalia), Mr. Antônio Augusto Cançado Trindade (Brazil), Mr. Christopher Greenwood (United Kingdom of Great Britain and Northern Ireland) and Mr. Dalveer Bhandari (India). The list of candidates, indicating the national groups by which each candidate was nominated, is contained in document S/2017/620, as amended by S/2017/620/Add.1.

I should like to inform members of the Council that I have received a letter addressed to me by the Legal Counsel, dated 3 November 2017, informing me, on behalf of the Secretary-General, that after the established deadline for nominating candidates, namely, 3 July 2017, a national group submitted a nomination to the Secretariat. I should like to draw the Council's attention to the fact that the additional nomination relates to a candidate already nominated by other national groups and whose name therefore already appears in document S/2017/620. The Legal Counsel recommended that, in accordance with established practice, I inform Council members orally on the day of the election about the decision of the aforementioned national group. I am also informed that the Legal Counsel made a similar recommendation to the President of the General Assembly.

The nomination of the aforementioned national group is as follows: for Dalveer Bhandari, Sri Lanka.

The Security Council has before it a memorandum by the Secretary-General, contained in document S/2017/619, describing the present composition of the Court and setting out the procedure to be followed in the conduct of the election. I should like to remind the Council that under Article 10, paragraph 1, of the Statute of the International Court of Justice,

> "Those candidates who obtain an absolute majority of votes both in the General Assembly and in the Security Council shall be considered as elected".

The required majority in the Security Council is eight votes.

If, in the first ballot, the number of candidates obtaining an absolute majority is less than five, then pursuant to rule 61 of the provisional rules of procedure of the Security Council, the Council will proceed to a second ballot on the remaining vacancies. Balloting will continue in the same manner until five candidates have obtained the required majority of votes.

If, on the other hand, more than five candidates obtain the required majority, according to established practice and as set forth in paragraph 13 of the Secretary-General's memorandum, a new vote will be held on all the candidates. That rule will also apply to any subsequent ballots, if the number of candidates obtaining the absolute majority is greater than the number of vacancies remaining.

The voting will be held by secret ballot. When we proceed to the vote, members of the Council will receive a ballot containing the names of all the candidates. No withdrawal will be accepted once the ballot papers have been distributed. However, it will be possible to withdraw between ballots.

Members of the Council will be requested to place an "X" in the box next to the names of the candidates for whom they wish to vote. Only those candidates whose names appear on the ballot are eligible for election.

I should like to remind members of paragraph 10 of the Secretary- General's memorandum (S/2017/619), which specifies that "[e]ach elector may vote for not more than five candidates on the first ballot". Any ballot paper containing votes for more than five names will be considered invalid.

I should like to inform Council members that in accordance with established practice, the ballot papers in the Security Council will not be counted until it has been verified that the ballot papers in the General Assembly have also been collected. The Council will remain in session pending the receipt of that information.

Only when five candidates have obtained the required majority of votes in the Security Council, I shall communicate the result to the President of the

General Assembly, and I shall request the Council to remain in session, pending the receipt from the President of the General Assembly of the result of the voting in the Assembly.

The Council will now proceed to draw lots to select two delegations to serve as tellers.

The delegations of France and the United Kingdom will not be considered to serve as tellers because candidates of their nationalities have been nominated.

The names of the delegations of the Russian Federation and Ukraine have been drawn. I request each of them to appoint one of their members to serve as teller.

At the invitation of the President, Ms. Melikbekyan (Russian Federation) and Mr. Bondiuk (Ukraine) acted as tellers.

The President: May I take it that the Council is now ready to proceed with the election of five members of the International Court of Justice?

It is so decided.

I am informed that the General Assembly is now ready to proceed with the voting process.

I request the Conference Officer to distribute the ballot papers.

Members of the Council should place an "X" in the boxes next to the names of the five candidates for whom they wish to vote.

* * *

The President: I take it that all the members of the Council have now voted and I ask the Conference Officer to collect the ballot papers.

* * *

The President: All the ballot papers have been collected. I should like to remind Council members that in accordance with the established practice, the ballots will not be counted until it has been verified that the ballot papers in the General Assembly have also been collected. The Council will remain in session pending the receipt of that information.

* * *

The President: I have now been informed that the ballot papers have been collected in the General Assembly.

The counting of the ballots in the Security Council will now begin. The tellers will now count the ballots. As per practice, there will be two independent countings of the ballots, one by each teller. I should like to remind Council members that in accordance with established practice, I shall wait for the General Assembly to complete its count before I announce the results of the voting in the Security Council. The Council will remain in session.

* * *

The President: The result of the voting is as follows:

Number of ballot papers:	15
Number of invalid ballots:	0
Number of valid ballots:	15
Number of abstentions:	0
Required majority:	8
Number of votes obtained:	
Mr. Ronny Abraham	15
Mr. Dalveer Bhandari	11
Mr. Antônio Augusto Cançado Trindade	11
Mr. Christopher Greenwood	14
Mr. Nawaf Salam	11
Mr. Abdulqawi Ahmed Yusuf	12

As more than five candidates have obtained an absolute majority, the Council will now proceed to a new vote on all candidates, as noted in paragraph 13 of the Secretary-General's memorandum contained in document S/2017/619.

I should like to remind members of the Council that each elector may vote for not more than five candidates and that only the candidates whose names appear on the ballot papers are eligible. Any ballot paper containing votes for more than five candidates will be invalid.

I now ask the Conference Officer to distribute the ballots.

I request members of the Council to place an "X" in the boxes next to the names of the five candidates for whom they wish to vote.

* * *

The President: I take it that all members of the Council have now marked their ballots.

I ask the Conference Officer to collect the ballot papers.

* * *

The President: All the ballot papers have been collected. The tellers will now count the ballots. There will be two independent countings of the ballots by each of the tellers.

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Mr. Antônio Augusto Cançado Trindade	8
Mr. Christopher Greenwood	13
Mr. Nawaf Salam	10
Mr. Abdulqawi Ahmed Yusuf	11

As more than five candidates have obtained an absolute majority, the Council will need to proceed to a new vote on all candidates.

I understand that the President of the General Assembly has proposed that the Assembly suspend its meeting until 4 p.m., when it will reconvene. I propose that, with the consent of Council members, we proceed in the summer manner and reconvene at 4 p.m.

It is so decided.

The meeting was suspended at 12.55 p.m.